

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

GARY MOORE

PLAINTIFF

v.

CIVIL ACTION NO. 2:18-cv-191-KS-MTP

**CITY OF LAUREL TAX AND
INSPECTION DEPARTMENT, ET AL.**

DEFENDANTS

REPORT AND RECOMMENDATION

THIS MATTER is before the Court on Plaintiff's Motion for Leave to Proceed *in forma pauperis* [2] and on Plaintiff's failure to comply with the Court's Order [3]. On November 19, 2018, the Court found that Plaintiff's Motion [2] requires clarification and directed Plaintiff to file a completed log form application to proceed *in forma pauperis* and provide additional financial information¹ on or before November 26, 2018. *See* Order [3]. The Court warned Plaintiff that his failure to submit the completed form as directed could result in the denial of his Motion [2]. *Id.* Plaintiff failed to submit a completed long form application or otherwise provide additional financial information. Without additional information, Plaintiff's financial status cannot be fairly evaluated and considered.

Based on the foregoing, the undersigned recommends that:

1. Plaintiff's Motion for Leave to Proceed *in forma pauperis* [2] be DENIED,
2. Plaintiff be given ten (10) days to pay all of the costs associated with the filing of this lawsuit, and
3. Should Plaintiff fail to pay all of the costs associated with the filing of this lawsuit, this matter be dismissed without prejudice and without further notice.

¹ Because Plaintiff provided no information regarding certain assets, his spouse's income, or his expenses and indicated that the questions regarding his assets and expenses are not applicable, the Court directed Plaintiff to complete a long form application in full.

NOTICE OF RIGHT TO OBJECT

In accordance with the rules, any party within fourteen days after being served a copy of this recommendation, may serve and file written objections to the recommendations, with a copy to the Judge, the Magistrate Judge and the opposing party. The District Judge at the time may accept, reject, or modify in whole or part, the recommendations of the Magistrate Judge, or may receive further evidence or recommit the matter to this court with instructions. The parties are hereby notified that failure to file written objections to the proposed findings, conclusions, and recommendations contained within this report and recommendation within fourteen days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the proposed factual findings and legal conclusions accepted by the district court to which the party has not objected. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996).

THIS the 3rd day of December, 2018.

s/ Michael T. Parker

United States Magistrate Judge